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MEMO ENDORSED

Honorable Nelson S. Román
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: K.B. v. IBM Medical & Dental Benefits Plan for Regular Full-Time & Regular Part-Time Employees, et al., Civ. A. No. 7:21-cv-01737

Dear Judge Román,

I represent Defendants IBM Medical and Dental Benefits Plan for Regular Full-Time and Regular Part-Time Employees (the “Medical Plan”), International Business Machines Corp., IBM Office of the Plan Administrator, E. Fleming, and unidentified committee members (collectively, “IBM”) in the above-captioned case. I write on behalf of Plaintiffs and IBM (the “Parties”) to jointly request a stay of the June 21, 2021 due date for IBM to file a responsive pleading.

On May 19, 2021, counsel for the Parties jointly filed a letter seeking a 30-day extension of IBM’s deadline to file a responsive pleading (the first such request). The court granted that request. The Parties noted that they are in the process of discussing a resolution of the above-captioned matter and sought additional time to focus on those efforts. The Parties continue those discussions, and now seek additional time to continue these efforts prior to the submission of any responsive pleading. In light of those ongoing discussions, and the Parties’ joint desire to avoid unnecessary motion practice, the Parties respectfully request a stay of IBM’s deadline and that the Parties be allowed to update the court on status no later than July 21, 2021.

We thank the Court for its time and consideration.


The Court grants the parties' second joint request for a 30-day extension of the briefing schedule to permit the parties' continued settlement discussions as follows: the moving papers shall be served (not filed) on July 21, 2021; the opposition shall be served (not filed) on August 20, 2021; the reply shall be served on September 7, 2021. All motion papers shall be filed on the reply date, September 7, 2021. The Clerk of Court is directed to terminate the motion at ECF No. 49.

Respectfully submitted,

/s/ Miguel Eaton
Miguel Eaton

Dated: June 14, 2021
White Plains, NY

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE